

1 AN ACT concerning nursing.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Nursing and Advanced Practice Nursing Act
5 is amended by changing Section 5-15 as follows:

6 (225 ILCS 65/5-15)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 5-15. Policy; application of Act. For the protection
9 of life and the promotion of health, and the prevention of
10 illness and communicable diseases, any person practicing or
11 offering to practice professional and practical nursing in
12 Illinois shall submit evidence that he or she is qualified to
13 practice, and shall be licensed as provided under this Act.
14 No person shall practice or offer to practice professional or
15 practical nursing in Illinois or use any title, sign, card or
16 device to indicate that such a person is practicing
17 professional or practical nursing unless such person has been
18 licensed under the provisions of this Act.

19 This Act does not prohibit the following:

20 (a) The practice of nursing in Federal employment
21 in the discharge of the employee's duties by a person who
22 is employed by the United States government or any
23 bureau, division or agency thereof and is a legally
24 qualified and licensed nurse of another state or
25 territory and not in conflict with Sections 10-5, 10-30,
26 and 10-45 of this Act.

27 (b) Nursing that is included in their program of
28 study by students enrolled in programs of nursing or in
29 current nurse practice update courses approved by the
30 Department.

31 (c) The furnishing of nursing assistance in an

1 emergency.

2 (d) The practice of nursing by a nurse who holds an
3 active license in another state when providing services
4 to patients in Illinois during a bonafide emergency or in
5 immediate preparation for or during interstate transit.

6 (e) The incidental care of the sick by members of
7 the family, domestic servants or housekeepers, or care of
8 the sick where treatment is by prayer or spiritual means.

9 (f) Persons from being employed as nursing aides,
10 attendants, orderlies, and other auxiliary workers in
11 private homes, long term care facilities, nurseries,
12 hospitals or other institutions.

13 (g) The practice of practical nursing by one who
14 has applied in writing to the Department in form and
15 substance satisfactory to the Department, for a license
16 as a licensed practical nurse and who has complied with
17 all the provisions under Section 10-30, except the
18 passing of an examination to be eligible to receive such
19 license, until: the decision of the Department that the
20 applicant has failed to pass the next available
21 examination authorized by the Department or has failed,
22 without an approved excuse, to take the next available
23 examination authorized by the Department or until the
24 withdrawal of the application, but not to exceed 3
25 months. An applicant practicing practical nursing under
26 this Section who passes the examination, however, may
27 continue to practice under this Section until such time
28 as he or she receives his or her license to practice or
29 until the Department notifies him or her that the license
30 has been denied. No applicant for licensure practicing
31 under the provisions of this paragraph shall practice
32 practical nursing except under the direct supervision of
33 a registered professional nurse licensed under this Act
34 or a licensed physician, dentist or podiatrist. In no

1 instance shall any such applicant practice or be employed
2 in any supervisory capacity.

3 (h) The practice of practical nursing by one who is
4 a licensed practical nurse under the laws of another U.S.
5 jurisdiction and has applied in writing to the
6 Department, in form and substance satisfactory to the
7 Department, for a license as a licensed practical nurse
8 and who is qualified to receive such license under
9 Section 10-30, until (1) the expiration of 6 months after
10 the filing of such written application, (2) the
11 withdrawal of such application, or (3) the denial of such
12 application by the Department.

13 (i) The practice of professional nursing by one who
14 has applied in writing to the Department in form and
15 substance satisfactory to the Department for a license as
16 a registered professional nurse and has complied with all
17 the provisions under Section 10-30 except the passing of
18 an examination to be eligible to receive such license,
19 until the decision of the Department that the applicant
20 has failed to pass the next available examination
21 authorized by the Department or has failed, without an
22 approved excuse, to take the next available examination
23 authorized by the Department or until the withdrawal of
24 the application, but not to exceed 3 months. An applicant
25 practicing professional nursing under this Section who
26 passes the examination, however, may continue to practice
27 under this Section until such time as he or she receives
28 his or her license to practice or until the Department
29 notifies him or her that the license has been denied. No
30 applicant for licensure practicing under the provisions
31 of this paragraph shall practice professional nursing
32 except under the direct supervision of a registered
33 professional nurse licensed under this Act. In no
34 instance shall any such applicant practice or be employed

1 in any supervisory capacity.

2 (j) The practice of professional nursing by one who
3 is a registered professional nurse under the laws of
4 another state, territory of the United States or country
5 and has applied in writing to the Department, in form and
6 substance satisfactory to the Department, for a license
7 as a registered professional nurse and who is qualified
8 to receive such license under Section 10-30, until (1)
9 the expiration of 6 months after the filing of such
10 written application, (2) the withdrawal of such
11 application, or (3) the denial of such application by the
12 Department.

13 (k) The practice of professional nursing that is
14 included in a program of study by one who is a registered
15 professional nurse under the laws of another state or
16 territory of the United States or foreign country,
17 territory or province and who is enrolled in a graduate
18 nursing education program or a program for the completion
19 of a baccalaureate nursing degree in this State, which
20 includes clinical supervision by faculty as determined by
21 the educational institution offering the program and the
22 health care organization where the practice of nursing
23 occurs. The educational institution will file with the
24 Department each academic term a list of the names and
25 origin of license of all professional nurses practicing
26 nursing as part of their programs under this provision.

27 (l) Any person licensed in this State under any
28 other Act from engaging in the practice for which she or
29 he is licensed.

30 (m) Delegation to authorized direct care staff
31 trained under Section 15.4 of the Mental Health and
32 Developmental Disabilities Administrative Act.

33 An applicant for license practicing under the exceptions
34 set forth in subparagraphs (g), (h), (i), and (j) of this

1 Section shall use the title R.N. Lic. Pend. or L.P.N. Lic.
2 Pend. respectively and no other.

3 (Source: P.A. 90-61, eff. 12-30-97; 90-248, eff. 1-1-98;
4 90-655, eff. 7-30-98; 90-742, eff. 8-13-98; 91-630, eff.
5 8-19-99.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.